Resolution # 09-0708-187

Approving Amendments to Section 6.8 of the Employee Personnel Manual – Government Offices – to allow Employees to Transfer Annual Leave Time to Other Employees

WHEREAS, the status of the Gad Čhing Ziibi Daawaa Anišchinaabek (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) of the Constitution to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) of the Constitution to govern the conduct of members of the Little River Band and other persons within its jurisdiction; and

WHEREAS, the Tribal Ogema is authorized under Article V, Section 5(1) of the Constitution to enforce and execute the laws, ordinances and resolutions of the Tribal Council; and

WHEREAS, the Tribal Ogema is authorized under Article V, Section 5(2) of the Constitution, to oversee the administration and management of the Tribal government in accordance with the laws, resolutions and motions adopted by the Tribal Council; and
WHEREAS, the Tribal Council has approved and adopted the Employee Personnel Manual – Government Offices and has approved and adopted revisions to the Personnel Manual from time to time by Resolution; and

WHEREAS, the Tribal Council approved Resolution #09-0513-129 which amended the Personnel Manual to include a provision allowing Tribal Government employees to transfer unused PTO time to other employees under limited circumstances; and

WHEREAS, the Tribal Council believes that it would further benefit Government employees if they were allowed to transfer accrued annual leave time to other employees in the same manner as the transfer of PTO time.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the addition of the following provision as the last paragraph in Section 6.8 of the Little River Band Government Personnel Manual:

Annual leave may be transferred by one employee to another upon written request from the transferring employee to the Accounting Department with a copy sent to the Human Resources Department. Annual leave shall be transferable when an employee is suffering from a medical condition or undergoing medical treatment which requires him/her to be absent from work for an extended period of time, or when an employee suffers a death of an immediate family member.

IT IS FURTHER RESOLVED THAT this amendment to the Government Personnel Manual is effective immediately upon adoption of this Resolution by Tribal Council.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Open Session of the Little River Band of Ottawa Indians Tribal Council held on July 8, 2009, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.

[Signature]
Jaime M. Sam, Council Recorder

[Signature]
Stephen Parsons, Council Speaker

Attest:
Council Records
Tribal Osgema
Tribal Court
Accounting Department
Human Resources Department